

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMES P. JONES,

Plaintiff,

vs.

MARIMAR MARQUINS, *et al.*,

Defendants.

Case No. 2:14-cv-00779-GMN-GWF

ORDER

Application to Proceed *in Forma Pauperis* (#1)

This matter comes before the Court on Plaintiff James P. Jones' ("Plaintiff") Application to Proceed *in Forma Pauperis* (#1), filed on May 16, 2014. Plaintiff filed the Application with his Complaint (#1-1) as required by 28 U.S.C. § 1915(a).

BACKGROUND

Plaintiff brings this action in Federal Court pursuant to 42 U.S.C. § 1983. As the Court understands Plaintiff's allegations, he brings this suit against his landlord, Defendant Marimar Marquins, and Defendants Las Vegas Metropolitan Police Department ("LVMPD"), the City of Las Vegas, and the State of Nevada, for false arrest and failure to investigate. Plaintiff alleges that Defendant Marquins called the LVMPD on February 24, 2014, and falsely reported that he physically abused his wife. *See Dkt. #1-1*. He alleges that LVMPD did not investigate the incident, but rather arrested Plaintiff due to Defendant Marquins' false report. *Id.* Plaintiff states that despite the lack of evidence and charges being dropped, he was forced to remain in jail for ninety days. Plaintiff now brings this action requesting the Court enter relief as it deems just.

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DISCUSSION

I. Application to Proceed In Forma Pauperis

Plaintiff proceeding in this action *pro se*, has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*. Plaintiff submitted the affidavit required by § 1915(a) showing an inability to prepay fees and costs or give security therefor. After review of Plaintiff's Application to Proceed *in Forma Pauperis*, however, Plaintiff did not include a signed financial certificate by an authorized officer of the institution in which he is incarcerated as required by 28 U.S.C. § 1915(a)(2) and Local Rule LR 1-2. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application to Proceed *In Forma Pauperis* (#1) is **denied** without prejudice.

IT IS FURTHER ORDERED that Plaintiff shall have until **July 21, 2014** to file a new Application to Proceed *in Forma Pauperis*, accompanied by a signed and executed financial certificate and Plaintiff's Complaint, or make the necessary arrangements to pay the filing fee. Plaintiff is advised that failing to do so may result in the dismissal of his case.

IT IS FURTHER ORDERED that the Clerk of the Court shall send Plaintiff a blank Application to Proceed *in Forma Pauperis* for incarcerated litigants.

DATED this 16th day of June, 2014.



GEORGE FOLEY, JR.
United States Magistrate Judge